IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

TUESDAY THE TWENTY THIRD DAY OF MARCH TWO THOUSAND AND FOUR

: PRESENT :

THE HON'BLE MR. JUSTICE: **S.ANANDA REDDY**

W.P.M.P.No.6992 of 2004

Between:

M/s. Swapna Construction, Contracotor & Engineers, 33-50, 1st Floor, Flat No.2, Amrutha Arcade, Kachiguda, Station Road, Hyderabad – 500 027, rep. by its Managing Partner Sri S.Narasimha Reddy.

Petitioner

(Petitioner in W.P.No.5361 of 2004 on the file of the High Court)

AND

1. The Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department, Erramanzil, Hyderabad.
2. The Committee of Engineers-in-Chief and the Commissioner, Commissionerate of Tenders, Office at B.R.K.Building, Tank Bund, Hyderabad.

Respondents

(Respondents in –do-)

COUNSEL FOR PETITIONER: Mr. K.Kondal Reddy.

COUNSEL FOR RESPONDENTS: G.P. for Irrigation & CAD

Petition under Section 151 of CPC praying the High Court to direct the respondents to permit the petitioner to participate in Tenders with Registration Nos. 30/2002, 34/2002, 38/2002 & 39/2002 issued by the 1st respondent in proceedings RC/ENC(AW)/ADA/TC1/BOCE-2/2002/30/34/38/39 dated. 30-07-2002, pending W.P.No.5361/2004 on the file of the High Court.

The Court while directing issue of notice to the Respondents herein to show cause as to why this application should not be complied with, made the following order. (The receipt of this order will be deemed to be the receipt of notice in the case).

ORDER:

" It is stated by the petitioner that he was given registration as special class contractor in the year 2002, with registration Nos. 30/2002 34/2002, 38/2002 and 39/2002 dated. 30-07-2002. However, it is the case of the petitioner that subsequent to the grant of registration, the Government issued G.O.Ms.No.94, dated. 01-07-2003, formulating new guidelines for registration of the contractors and as per which, all the contractors who are already registered also require to make fresh applications to get registration, in terms of the said G.O. Accordingly, it is the case of the petitioner, that he made his application on 31-12-2003.It is his further case that in terms of the said G.O, the existing contractors were granted time of six months, to use the existing registrations, without obtaining fresh registration to participate in various tenders.

As the petitioner's application was not considered for fresh registration, and as it is still pending, pending disposal of his application for grant of registration in terms of the above referred G.O, the petitioner should be permitted to use the existing registration and should be allowed to participate in various tenders, that are being called by various authorities including the respondents.

After notice, the learned Government Pleader for Irrigation, represented that the applications of various contractors, which have been made for grant of registration in terms of the above referred G.O. are pending. It is also further stated that the time for receipt of the applications was extended upto 31-01-2004, and all the applications are yet to be considered, and orders are to be passed for granting of registration to various contractors.

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In view of the pendency of the application of the petitioner along with other contractors, the petitioner is entitled to use his existing registration, which was granted in the year 2002, which is valid for a period of five years, to participate in various tenders that are being called by the respondents, till the orders are passed on the application of the petitioner."

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department, Erramanzil, Hyderabad.
2. The Committee of Engineers-in-Chief and the Commissioner, Commissionerate of Tenders, Office at B.R.K.Building, Tank Bund, Hyderabad.
   (1 & 2 by RPAD)
3. Two CCs to G.P. for Irrigation & CAD, High Court of A.P.Hyd(OUT)
4. One spare copy.

SAH